

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

MDL No. 3084 CRB

Honorable Charles R. Breyer

JURY TRIAL DEMANDED

This Document Relates to:

M.W.

SHORT-FORM COMPLAINT AND DEMAND FOR JURY TRIAL

The Plaintiff named below files this *Short-Form Complaint and Demand for Jury Trial* against Defendants named below by and through the undersigned counsel. Plaintiff incorporates by reference the allegations contained in *Plaintiffs' Master Long-Form Complaint* in *In Re: Uber Technologies, Inc., Passenger Sexual Assault Litigation*, MDL No. 3084 in the United States District Court for the Northern District of California. Plaintiff files this *Short-Form Complaint* as permitted by Case Management Order No. 6 of this Court.

Plaintiff selects and indicates by checking-off where requested, the Parties and Causes of Actions specific to this case.

Plaintiff, by and through their undersigned counsel, allege as follows:

1 **I. DESIGNATED FORUM¹**

- 2 1. Identify the Federal District Court in which the Plaintiff would have filed in the
3 absence of direct filing:

4 U.S. District Court Northern District of California

5 ("Transferee District Court").

6 **II. IDENTIFICATION OF PARTIES**

7 **A. PLAINTIFF**

- 8 1. *Injured Plaintiff*: Name of the individual who alleges they were sexually assaulted,
9 battered, harassed, or otherwise attacked by an Uber driver with whom they were
10 paired while using the Uber platform:

11 M.W.

12 ("Plaintiff").

- 13 2. At the time of the filing of this *Short-Form Complaint*, Plaintiff resides at:
14 Sanford, York County, Maine

- 16 3. (If applicable) _____ [INSERT NAME OF
17 REPRESENTATIVE] is filing this case in a representative capacity as the
18 [INSERT DESCRIPTOR I.E. ADMINISTRATOR ETC.] of the [INSERT
19 DESCRIPTOR I.E. ESTATE OF NAME, ETC.], and has authority to act in this
20 representative capacity because [INSERT BASIS FOR AUTHORITY].

21 **B. DEFENDANT(S)**

- 22 1. Plaintiff names the following Defendants in this action.

23 **[BEFORE PROCEEDING - PLEASE CAREFULLY READ AND CONSIDER THE
24 PLACES OF INCORPORATION AND PRINCIPAL PLACE OF BUSINESS OR
25 RESIDENCE OF EACH DEFENDANT BEFORE SELECTING TO ENSURE THAT
YOU ARE NOT NAMING ANY DEFENDANTS FROM THE SAME STATE AS THE
PLAINTIFF. THE PLACE OF INCORPORATION, PRINCIPAL PLACE OF**

26
27
28
1 ¹ See Pretrial Order No. 6, at II(C) (ECF No. 177).

1 **BUSINESS OR RESIDENCE OF EACH DEFENDANT IS IN THE FOOTNOTES FOR**
2 **YOUR CONVENIENCE]:**

3 UBER TECHNOLOGIES, INC.;²

4 RASIER, LLC;³

5 RASIER-CA, LLC.⁴

6 OTHER (specify): _____ . This defendant's
7 residence is in (specify state): _____ .

8 **C. RIDE INFORMATION**

- 9 1. The Plaintiff was sexually assaulted, harassed, battered, or otherwise attacked by
10 an Uber driver in connection with a ride facilitated on the Uber platform in York
11 County, Maine on October 25, 2023.
- 12 2. The Plaintiff was the account holder of the Uber account used to request the
13 relevant ride.
- 14 3. The Plaintiff provides the following additional information about the ride:

15 **[PLEASE SELECT/COMPLETE ONE]**

16 The Plaintiff hereby incorporates Plaintiff's disclosure of ride information
17 produced pursuant to Pretrial Order No. 5 ¶ 4 on March 25, 2024 or to be
18 produced in compliance with deadlines set forth in Pretrial Order No. 5 ¶ 4,
19 and any amendments or supplements thereto.

20 The origin of the relevant ride was [STREET ADDRESS, CITY,
21 COUNTY, STATE]. The requested destination of the relevant ride was
22 [STREET ADDRESS, CITY, COUNTY, STATE]. The driver was named
23 [DRIVER NAME].

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² Delaware corporation with a principal place of business in California.

28 ³ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of
 Delaware and California.

29 ⁴ A limited liability company whose sole member, Uber Technologies, Inc., is a citizen of
 Delaware and California.

III. CAUSES OF ACTION ASSERTED

1. The Causes of Action asserted in the *Plaintiffs' Master Long-Form Complaint*, and the allegations with regard thereto in the *Plaintiffs' Master Long-Form Complaint*, are adopted in this *Short-Form Complaint* by reference, except that Plaintiff opts out of and excludes the causes of action specified below:

Check any EXCLUDED causes of action	Cause of Action Number	Cause of Action
<input checked="" type="checkbox"/>	I	NEGLIGENCE (including Negligent Hiring, Retention, Supervision, and Entrustment)
<input checked="" type="checkbox"/>	II	FRAUD AND MISREPRESENTATION
<input checked="" type="checkbox"/>	III	NEGLIGENT INFILCTION OF EMOTIONAL DISTRESS
<input checked="" type="checkbox"/>	IV	COMMON CARRIER'S NON-DELEGABLE DUTY TO PROVIDE SAFE TRANSPORTATION ⁵
<input checked="" type="checkbox"/>	V	OTHER NON-DELEGABLE DUTIES TO PROVIDE SAFE TRANSPORTATION ⁶
<input checked="" type="checkbox"/>	VI	VICARIOUS LIABILITY FOR DRIVERS' TORTS – EMPLOYEE
<input checked="" type="checkbox"/>	VII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – APPARENT AGENCY
<input checked="" type="checkbox"/>	VIII	VICARIOUS LIABILITY FOR DRIVERS' TORTS – RATIFICATION
<input checked="" type="checkbox"/>	IX	VICARIOUS LIABILITY FOR DRIVERS' TORTS – Cal. Public Utilities Code § 535
<input checked="" type="checkbox"/>	X	STRICT PRODUCTS LIABILITY – DESIGN DEFECT
<input checked="" type="checkbox"/>	XI	STRICT PRODUCTS LIABILITY – FAILURE TO WARN
<input checked="" type="checkbox"/>	XII	STRICT PRODUCTS LIABILITY – PRODUCT LIABILITY ACTS
<input checked="" type="checkbox"/>	XIII	UNFAIR COMPETITION LAW – Cal. Bus. & Prof. Code § 17200 et seq.

VI. ADDITIONAL CAUSES OF ACTION AND/OR ALLEGATIONS

⁵ This claim is pleaded in the *Plaintiffs' Master Long-Form Complaint* under the laws of every state except: **Arizona, Colorado, District of Columbia, Illinois** (for incidents prior to August 11, 2023), **Michigan, Montana** (for incidents prior to April 23, 2023), **New York, Pennsylvania, Wisconsin, and Wyoming**.

⁶ This claim is pleaded in *Plaintiffs' Master Long-Form Complaint* under the laws of every state except: **District of Columbia, Michigan, New York, Pennsylvania.**

NOTE

If Plaintiff wants to allege additional Cause(s) of Action other those selected in paragraph III (1), the specific facts supporting any such additional Cause(s) of Action, must be pled in a manner complying with the requirements of the Federal Rules of Civil Procedure (*see* paragraph __). In doing so you may attach additional pages to this *Short-Form Complaint*.

1. Plaintiff asserts the following additional theories against the Defendants designated in paragraph III (1) above:

[YOU MAY ATTACH ADDITIONAL PAGES, IF NECESSARY]

2. If Plaintiff has additional factual allegations not set forth in *Plaintiffs' Master Long-Form Complaint*, they may be set forth below or in additional pages:

The Uber driver sexually assaulted the Plaintiff including, *inter alia*, grabbing Plaintiff's legs and genitalia without Plaintiff's consent.

WHEREFORE, Plaintiff prays for relief and judgment against Defendants for economic and non-economic compensatory and punitive and exemplary damages, together with interest, costs of suit, attorneys' fees, and all such other relief as the Court deems proper, and such further relief as the Court deems equitable and just, and as set forth in *Plaintiffs' Master Long-Form Complaint*.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all claims in this action.

1 Dated: March 25, 2024 Respectfully submitted,

2 By: /s/ Roopal P. Luhana

3 Roopal P. Luhana

4 **Chaffin Luhana LLP**

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Counsel for Plaintiff